

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA**

**JOHN P. POLCASTRO, SR.,**

**Plaintiff,**

**V.**

**GREG WARD, et al.,**

## Defendants.

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**Civil Action No. 1:05-cv-00909-MEF-VPM**

**DEFENDANTS' GREG WARD, CARL ROWE, DONALD WEEKS, AND RAY MOCK'S  
RESPONSE TO THIS COURT'S ORDER DATED SEPTEMBER 11, 2006**

COME NOW Sheriff Greg Ward, Carl Rowe, Donald Weeks, and Ray Mock, Defendants in the above-styled cause, and respond to this Court's Order dated September 11, 2006, as follows:

1. These Defendants deny any and all liability in this case and submit that they are entitled to summary judgment as set forth in their Special Report. (Doc. 9.)
2. Therefore, these Defendants respectfully decline to engage in settlement discussions/negotiations with the Plaintiff.

**RESPECTFULLY SUBMITTED** this the 12th day of September, 2006.

**s/C. Richard Hill, Jr.**  
C. RICHARD HILL, JR. Bar No. HIL045  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 12th day of September, 2006, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and that I have mailed a true and correct copy of the foregoing by United States Mail, postage prepaid, to the following non-CM/ECF participant:

John P. Polcastro, Sr.  
AIS 245168  
Fountain Correctional Facility  
Fountain 3800  
Atmore, AL 36503

**s/C. Richard Hill, Jr.  
OF COUNSEL**